

RESOLUTION NO. A-_____

USE PERMIT NO. 43A

1 WHEREAS, Stockwell Properties, L.L.C. has submitted an application in
2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
3 Permit No. 43A for authority to construct 48,675 square feet of office and financial
4 space on property generally located south of Stockwell Street between S. 13th and S.
5 14th Streets, and legally described to wit:

6 A tract of land located in the Southeast Quarter of Section 2,
7 Township 9 North, Range 6 East of the 6th P.M., Lancaster
8 County, Nebraska, more particularly described as follows:

9 Referring to the southeast corner of said Section 2; thence
10 in a northerly direction along the east line of the Southeast
11 Quarter of said Section 2 on an assumed bearing of north 0
12 degrees 0 minutes 0 seconds east, a distance of 1,376.70
13 feet; thence north 90 degrees 0 minutes 0 seconds west,
14 perpendicular to the last described course, a distance of
15 33.0 feet to a point on the westerly 33.0 foot right-of-way line
16 of 14th Street as platted in the City of Lincoln and the point
17 of beginning; thence south 59 degrees 55 minutes 35
18 seconds west, a distance of 79.74 feet to a point on the
19 northeasterly 85.0 foot right-of-way line of relocated 13th
20 Street; thence north 33 degrees 13 minutes 9 seconds west,
21 a distance of 376.01 feet; thence north 23 degrees 4
22 minutes 57 seconds west, a distance of 180.68 feet; thence
23 north 12 degrees 15 minutes 21 seconds west, a distance of
24 155.02 feet to a point on the southerly 30.0 foot right-of-way
25 line of Stockwell Street; thence south 89 degrees 1 minute
26 40 seconds east along the southerly 30.0 foot right-of-way
27 line of Stockwell Street, a distance of 378.80 feet to a point
28 on the westerly 33.0 foot right-of-way line of said 14th Street;
29 thence south 0 degrees 0 minutes 0 seconds east along the
30 westerly 33.0 foot right-of-way line of said 14th Street, a
31 distance of 585.88 feet to the point of beginning;

32 WHEREAS, the real property adjacent to the area included within the site
33 plan for this office and financial space will not be adversely affected; and

1 WHEREAS, said site plan together with the terms and conditions
2 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
3 Municipal Code to promote the public health, safety, and general welfare.

4 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
5 Lincoln, Nebraska:

6 That the application of Stockwell Properties, L.L.C., hereinafter referred to
7 as "Permittee", to construct 48,675 square feet of office and financial space on the
8 property legally described above be and the same is hereby granted under the
9 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
10 construction and operation of said be in strict compliance with said application, the site
11 plan, and the following additional express terms, conditions, and requirements:

12 1. This permit approves 48,675 square feet of office and financial
13 space and rescinds Use Permit No. 43.

14 2. Before receiving building permits:

15 a. The construction plans must conform to the approved plans.

16 b. Administrative final plats within the area of this Use Permit
17 must be approved by the City.

18 3. A waiver of design standards to allow placement of signage in the
19 front yard setback along S. 13th Street is hereby approved.

20 4. Before occupying the buildings, all development and construction
21 must be in conformance with the approved plans.

22 5. All privately-owned improvements shall be permanently maintained
23 by the Permittee or an appropriately established homeowners association approved by
24 the City Attorney.

1 6. The site plan accompanying this permit shall be the basis for all
2 interpretations of setbacks, yards, locations of buildings, location of parking and
3 circulation elements, and similar matters.

4 7. The terms, conditions, and requirements of this resolution shall be
5 binding and obligatory upon the Permittee, its successors and assigns. The building
6 official shall report violations to the City Council which may revoke this use permit or
7 take such other action as may be necessary to gain compliance.

8 8. The Permittee shall sign and return the City's letter of acceptance
9 to the City Clerk within 30 days following approval of this use permit, provided, however,
10 said 30-day period may be extended up to six months by administrative amendment.
11 The City Clerk shall file a copy of the resolution approving this use permit and the letter
12 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
13 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor